

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ADVANCED BEHAVIORAL HEALTH, LLP, :  
:  
Plaintiff, : ORDER  
:  
-v.- : 20 Civ. 6644 (GWG)  
:  
ORI SHINAR, :  
:  
Defendant. :  
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GABRIEL W. GORENSTEIN, United States Magistrate Judge

Plaintiff filed a letter raising discovery disputes with defendant on May 17, 2021. See Docket # 39. Paragraph 2.A of the Court’s Individual Practices requires the “party opposing the requested relief” to “submit a letter to the Court in response as soon as practicable and in any event within two business days, unless the parties agree otherwise (and the Court is informed of the agreed response date by letter) or an extension of time is sought and granted in accordance with paragraph 1.E above.”

After receiving plaintiff’s letter, the Court issued an order setting a discovery conference for the issues raised in the letter. See Order, filed May 18, 2021 (Docket # 40). The Order specifically stated that “[i]f not already filed, a responsive letter must be filed in accordance with paragraph 2.A of this Court’s Individual Practices.” Id.

Defendant has not filed a responsive letter, nor has the defendant sought an extension of time. Accordingly, the relief requested by plaintiff’s letter is granted. As requested in plaintiff’s letter (see Docket # 39 at 2), defendant is ordered to respond to plaintiff’s discovery demands, as reflected in Docket # 30-3. Defendant shall produce documents responsive to those demands, and respond to plaintiff’s interrogatories, by 5:00 p.m. on May 28, 2021. Failure to do so may result in additional sanctions.

Additionally, because of defendant’s failure to timely object to the discovery requests, all objections to production are waived. See Eldaghar v. City of New York Dept. of Citywide Administrative Services, 2003 WL 22455224, \*1 (S.D.N.Y. 2003) (“If a party fails to file timely objections to document requests, such a failure constitutes a waiver of any objections which a party might have to the requests.”). Thus, the responses and the production shall be made notwithstanding any objections.

The conference scheduled for today, May 21, 2021, at 2:30 p.m. is canceled.

SO ORDERED.

Dated: May 21, 2021  
New York, New York

  
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GABRIEL W. CORENSTEIN  
United States Magistrate Judge